

Daniel Auerbach  
BROWNING, KALEZYC, BERRY & HOVEN, P.C.  
201 West Railroad St., Suite 300  
Missoula, MT 59802  
[daniel@bkbh.com](mailto:daniel@bkbh.com)  
T: 406.728.1694  
F: 406.728.5475

*Counsel for Defendant Trans Union, LLC  
(improperly identified as TransUnion Holding Company Inc)*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

HERU SPENCER,

Plaintiff,

vs.

EXPERIAN; EQUIFAX INC;  
RELX INC.; TRANSUNION  
HOLDING COMPANY INC.;

Defendants.

Case No. \_\_\_\_\_

**TRANS UNION, LLC’S NOTICE  
OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Trans Union, LLC (improperly identified as TransUnion Holding Company Inc) (“Trans Union”) hereby removes the subject action from the 18<sup>th</sup> Judicial District Court Of Gallatin

County, State Of Montana, to the United States District Court for the District of Montana, Helena Division, on the following grounds:

1. On or about August 31, 2023, *pro se* Plaintiff Heru Spencer mailed Trans Union a copy of a Complaint filed in the District Court Of Gallatin County, State Of Montana. A Copy of the Complaint is attached hereto as **Exhibit A**. No other process, pleadings or orders have been served on Trans Union.

2. Plaintiff makes claims under, alleges that Trans Union violated and alleges that Trans Union is liable under “federal laws and statutes,” including the Fair Credit Reporting Act (the “FCRA”) and the Fair Debt Collection Practices Act (the “FDCPA”). See generally Complaint.

3. This Court has original jurisdiction over the subject action pursuant to 28 U.S.C. § 1331 since there is a federal question. As alleged, this suit falls within the FCRA and FDCPA, which thus supplies this federal question.

4. Pursuant to 28 U.S.C. § 1441, et seq., this cause may be removed from the District Court Of Gallatin County, State Of Montana to the United States District Court for the District of Montana, Helena Division.

5. As of the date of this Notice of Removal, Defendant LexisNexis (improperly identified as RELX, Inc.) (“LexisNexis”) been served. Counsel for Trans Union has contacted representatives for LexisNexis, and they have consented to this removal as evidenced by consent attached hereto as **Exhibit B**.

5. Notice of this removal has been or will promptly be filed with the District Court Of Gallatin County, State Of Montana, and served upon all parties.

WHEREFORE, Defendant Trans Union, LLC, by counsel, removes the subject action from the District Court Of Gallatin County, State Of Montana, to this United States District Court, District of Montana, Helena Division.

DATED this 18th day of September, 2023.

BROWNING, KALECZYC, BERRY & HOVEN, P.C.

By /s/ Daniel J. Auerbach

Daniel J. Auerbach

*Counsel for Defendant Trans Union, LLC  
(improperly identified as TransUnion Holding Company  
Inc)*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 18<sup>th</sup> day of September, 2023, a true copy of the foregoing was served:

Via ECF to the following parties:

Michael L. Rausch  
Emily M. McCulloch  
BROWNING, KALECZYC, BERRY & HOVEN, P.C.  
Liberty Center, Ste. 302  
9 Third Street North  
Great Falls, MT 59401

Via first-class mail to the following parties:

Heru Spencer  
PO Box 1376  
Bozeman, MT 59771

/s/ Daniel J. Auerbach  
BROWNING, KALECZYC, BERRY & HOVEN, P.C.